



COLORADO

Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

PROGRAM: RETAIL FOOD

EFFECTIVE REGULATION: *Colorado Retail Food Establishment Rules and Regulations, July 1, 2013*

INTERPRETIVE MEMO NO.: 15-05

DATE: November 19, 2015

SUBJECT: Approval of Mechanical Machines for Warewashing and Handwashing Sink Requirements

The Department routinely approves variance requests from the requirements of section 4-403 of the *Colorado Retail Food Establishment Rules and Regulations* (regulations). This section of the regulations [section 4-403 (A) specifically] requires the installation of a three-compartment sink for manually washing, rinsing and sanitizing equipment and utensils. Section 4-403 (C) allows for alternatives to the three-compartment sink requirement, with approval from the Department.

This memo approves the use of mechanical warewashing machines as an alternative to the requirement to install a three-compartment sink, as long as mechanical cleaning and sanitization is provided as specified in sections 4-404, 4-405 and 4-406 of the regulations. A variance approval from the department is not necessary in these instances.

If a retail food establishment operating under the approval of this memo is found to be using a warewashing machine that is not cleaning and sanitizing per section 4-404 of the regulations, and there are no alternate methods to clean and sanitize equipment and utensils, this shall be cited as a violation. CDPHE and local public health agency inspectors must exercise professional discretion in evaluating the facility's ability to safely operate while the warewashing machine is repaired or adjusted. This may include requiring the facility to close until repairs are made.

The Department also routinely approves variance requests from the requirement of section 5-208(J) of the regulations. This section details installation specifications (eg. height, basin diameter, faucet location, etc.) for handsinks. These requirements significantly exceed national standards such as the FDA Food Code and are rescinded by this memo for facilities with hand sinks that are easily accessible to food handlers for proper hand washing. Section 5-208 (J) may be used as a guideline for new construction, but should not be used as the basis for citing violations.

25-4-1601 C.R.S. provides CDPHE's authority for the uniform statewide administration, implementation, interpretation, and enforcement of *The Colorado Retail Food Establishment Rules and Regulations*. This interpretive memo is issued in accordance with this authority and CDPHE expects its contents to be implemented uniformly.

All previous interpretive memoranda issued pertaining to this subject are hereby superseded as of the effective date above.

Jeff Lawrence, Director
Division of Environmental Health and Sustainability

